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**CITY COUNCIL MEETING AGENDA**

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**January 10, 2011**

**City Council Chambers  
12000 Findley Road, Suite 300  
<http://www.JohnsCreekGA.gov>**

**7:00pm**

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**A) CALL TO ORDER**

**B) ROLL CALL**

**C) PLEDGE OF ALLEGIANCE**

**D) OPENING REMARKS**

**E) MINUTES**

- **Consideration of 12-13-2010 Work Session Summary and Council Meeting Minutes**

**F) APPROVAL OF MEETING AGENDA – Add/Remove Agenda Items**

**G) PUBLIC COMMENT**

**H) CONSENT AGENDA –Consent Agenda Items**

1. **R2011-01-01** **Consideration of Resolution Approving Proclamation for Austin Ulich of Chattahoochee High School on winning the AAAA State Championship in Cross Country**
2. **ACTION ITEM** **Consideration of Approval of Privileged Resolutions for Eagle Scouts William Shun Xiao of Troop 3143 and Kyle Matthew Johnston of Troop 2000**

**I) ANNOUNCEMENTS**

**J) REPORTS AND PRESENTATIONS**

**K) OLD BUSINESS**

**L) NEW BUSINESS**

1. **R2011-01-02** **Consideration of Resolution Appointing Members to the Planning Commission for the City of Johns Creek**
2. **R2011-01-03** **Consideration of Resolution Appointing Members to the Board of Zoning Appeals for the City of Johns Creek**
3. **R2011-01-04** **Consideration of Resolution to Approve Traffic Study Guidelines**

**M) OTHER BUSINESS**

**N) PUBLIC COMMENT**

**O) MAYOR’S COMMENTS**

**P) EXECUTIVE SESSION (If Needed)**

**Q) ADJOURNMENT**

**CITY OF JOHNS CREEK**  
**WORK SESSION SUMMARY**

**December 13, 2010**

**5:00pm**

The City of Johns Creek Mayor and Council held a Work Session on Monday, December 13, 2010 at 5:00pm. The Work Session was held in the Taylor Farms Conference Room at City Hall, located at 12000 Findley Road, Suite 300 in Johns Creek, Georgia 30097. In attendance were Council Members R. Johnson, D. McCabe, B. Miller, I. Figueroa, K. Richardson and Mayor M. Bodker. City Manager J. Kachmar, Attorney B. Riley and other Department Heads were also present.

Mayor Bodker opened the meeting with the Pledge of Allegiance.

Public Works Director Ken Hildebrandt reviewed the **GDOT Construction Agreement for the Greenway: Segment 1, Part 2**. He explained the City received a \$165,000 grant from GDOT to fill-in a gap of 500 feet in the Greenway project, along Medlock Bridge Road. The project went out for bid, with the lowest bid received from Johnson Landscaping. Dir. Hildebrandt explained once the construction agreement is signed by both Council and GDOT, his staff will come back to Council requesting Johnson Landscaping be awarded the project. There were no objections to moving the construction agreement to tonight's Council Meeting Agenda for consideration.

Traffic Engineer Tom Udell reviewed proposed guidelines for **Traffic Impact Studies**. He indicated an impact study would be required as part of a re-zoning and LDP filing. Mr. Udell said the City had previously been using Fulton County guidelines. There was discussion on when the Traffic Study would be required and on acceptable time periods to conduct the study for accurate traffic patterns. There was consensus applicants be required to submit plans outlining study prior to proceeding, to ensure guidelines will be met. Mr. Udell said the study would be valid for two-years; however, if an application is filed but construction is stalled for a period of time, there are provisions in the guidelines to address the issue of traffic patterns changes.

Finance Director Monte Vavra reviewed the **Solid Waste Budget**. Director Vavra reviewed the discussion from the previous Work Session, on the issue of transferring \$100K from the Contingency Fund to cover programs. Council had asked to table this item in order to compare the current budget proposal to that proposed when Council discussed programs in conjunction with adoption of the Solid Waste Ordinance. Director Vavra provided copies of the current proposal and previously proposed budget for Council's review. There were no objections to moving this item to tonight's Council Meeting Agenda for consideration.

Mayor Bodker requested **nominees for the Planning Commission and Board of Zoning Appeals**. There will be four expiring terms on the Planning Commission, three members would like to remain and one declined. The BZA has four members with expiring terms and all would like to continue serving. The terms expire on January 15, 2011 and the Mayor asked for nominees by the end of the year.

City Manager John Kachmar and Assistant City Attorney Scott Hastey reviewed the **CH2MHill Contract Amendment**. City Manager Kachmar reported an agreement has been reached to amend the 2006 contract with CH2M Hill. Mr. Kachmar summarized

some of the changes in the agreement, including the transitioning of staff, equipment and subcontract agreements from CH2M Hill to the City. Assistant City Attorney Hastey distributed a document reflecting three minor language amendments proposed by Council to clarify terms in the agreement. There was some discussion on the role of the Solid Waste Coordinator, clarification on performance indicators, work load levels, minor vs. major repairs and call center functions. Council had no objections to moving this item to tonight's Council Meeting Agenda for consideration.

There being no further business, Mayor Bodker adjourned the Work Session.

Approved,

Attest,

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Michael E. Bodker, Mayor

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Joan C. Jones, City Clerk

**CITY OF JOHNS CREEK**  
**COUNCIL MEETING**  
**December 13, 2010 @ 7:00pm**

The City of Johns Creek Mayor and Council held a monthly meeting on Monday, December 13, 2010. The meeting was held at 7:00pm in the City Hall Council Chambers located at 12000 Findley Road, Suite 300 in Johns Creek, Georgia.

**COUNCIL PRESENT:** Post 1-Randall Johnson  
Post 2-Dan McCabe  
Post 3-Karen Richardson  
Post 4-Ivan Figueroa  
Post 5-Kelly Stewart  
Post 6-Bev Miller  
Mayor Mike Bodker

**STAFF PRESENT:** City Clerk Joan Jones  
City Manager, John Kachmar  
City Attorney Bill Riley

**PLEDGE OF ALLEGIANCE:** Led by Eagle Scouts Mark Maksimik of Troop 10 and Taylor Ray Stout of Troop 3143.

**OPENING REMARKS:** Mayor Bodker welcomed everyone to the meeting, special guest Supreme Court Justice David Nahmias and Council Member-Elect Kelly Stewart. The Mayor congratulated Chattahoochee High School on their Class AAAA State Championship victory. He also mentioned Northview High School's Chamber Orchestra was one of only six high schools nationwide chosen to attend the prestigious Midwest International Band and Orchestra Conference. The Mayor thanked the City Manager and staff on coordinating all the Founders Day week of events, the parade and Santa Jam at Johns Creek High School, celebrating the City's fourth birthday. In closing, the Mayor announced the first meeting of the Transportation Roundtable will take place this week and they are expected to propose a final list of projects by January 2011.

**SWEARING IN:** Supreme Court Justice David Nahmias gave the Oath of Office to newly elected Council Member Kelly Stewart, Post 5. Council Member Stewart joined Council on the dais.

**MINUTES:** Council Member Johnson motioned, seconded by Council Member Richardson to approve the November 29, 2010 Work Session Summary and Council Minutes as amended. There being no further discussion, the motion carried unanimously.

**MEETING AGENDA APPROVED:** Council Member Figueroa motioned, seconded by Council Member Richardson to amend the meeting agenda to add under the CONSENT AGENDA, Resolution 2010-12-67 to approve a proclamation recognizing the Chattahoochee Varsity Football Team as State Champions Class-AAAA and an EXECUTIVE SESSION to discuss 1 (one) litigation matter. There being no discussion, the motion carried unanimously and the amended agenda was approved.

City Clerk Jones read the Public Comment Procedures.

**PUBLIC COMMENT:** No public comment.

**CONSENT AGENDA:** Council Member Miller motioned, seconded by Council Member Figueroa, to approve the Consent Agenda, which included, ***ACTION ITEM***-Approve Privileged Resolutions for Eagle Scouts Patrick Mark Maksimik of Troop 10 and Taylor Ray Stout of Troop 3143 and ***RESOLUTION 2010-12-67***-Approve proclamation recognizing the Chattahoochee Varsity Football Team as State Champions Class-AAAA. There being no discussion, the motion carried unanimously and the Consent Agenda was approved.

**REPORTS & PRESENTATIONS:** Council Member Miller presented and read the following Privileged Resolution recognizing Eagle Scout Patrick Mark Maksimik Troop 10:

*The City of Johns Creek recognizes Patrick Mark Maksimik of Troop 10 on successfully completing all the rank requirements for Eagle. Whereas Eagle Scout Maksimik completed his Eagle Scout project at the Autrey Mill Nature Preserve. Whereas his project involved lining a trail with timbers, laying mulch and also building a retaining wall at the end of the trail. Whereas Eagle Scout Maksimik's project took many hours of dedication and commitment, it demonstrates the value the Scouting program brings to our community. The Mayor and Council of the City of Johns Creek recognize and applaud Eagle Scout Patrick Mark Maksimik.*

Council Member Figueroa read the following Privileged Resolution recognizing Eagle Scout Taylor Ray Stout of Troop 3143:

*The City of Johns Creek recognizes Taylor Ray Stout of Troop 3143, on successfully completing all the rank requirements for Eagle. Whereas Eagle Scout Stout has completed his Eagle Scout project by constructing two sections of a split rail fence at Autrey Mill Nature Preserve, providing distinction of the walkway between the pavilion, General Store and the entrance to a walking trail. Whereas the fence will improve the safety of visitors and reduce foot traffic on areas not designated for walking. Whereas Eagle Scout Stout's project inspires others to volunteer their time and talents to their community, his Eagle Scout Award distinction will follow him throughout his life. The Mayor and Council of the City of Johns Creek recognize and applaud Eagle Scout Taylor Ray Stout.*

**ANNOUNCEMENTS:** Mayor Bodker announced he will be hosting a Town Hall Meeting at Perimeter Church on Thursday, December 16, at 7:00pm.

City Clerk Jones announced the following meetings:

- *Tuesday, 12/14/10 @ 10:00am—CVB*
- *Thursday & Friday, 12/23-12/24/10— City Offices Closed for Christmas Holiday.*
- *Friday, 12/31/10— City Offices Closed for New Year's Holiday*
- *Tuesday, 1/4/11 @ 9:00am—CVB, @ 5:00pm—RPAC and 7:00pm—Planning Commission*
- *Monday, 1/10/11 @ 5:00pm—Work Session, 7:00pm—City Council Meeting*

**OLD BUSINESS:** No Old Business.

**NEW BUSINESS:**

**AMENDMENT OF CHAPTER 34 ADDING WATER RESTRICTIONS:** As this item was discussed at the November 29<sup>th</sup> Work Session, Council did not require an additional presentation. Mayor Bodker reiterated the ordinance outlines State mandated requirements. Council Member McCabe motioned, seconded by Council Member Richardson to approve Ordinance 2010-12-24 to amend Chapter 34 of the Code of the City of Johns Creek by adding water usage restrictions as required by State Law. There being no discussion, the motion carried unanimously. (***ORDINANCE 2010-12-24***)

**REZONING CASE RZ-10-008 – JOHNS CREEK WALK PHASE II:** A Public Hearing and consideration of Ordinance 2010-12-25 to amend the Zoning Map for Zoning Case RZ 10-008 – Johns Creek Walk Phase II-Medlock Bridge Realty Partners, LLC 11330 Medlock Bridge Road-MIX Use Conditional to MIX Conditional-change in conditions to a Mixed Use development to increase multifamily units: allow additional three bedroom units; delete elevator requirements and VC 10-008 Concurrent Variance to allow dwelling units to remain as Model Homes/Sales Offices regardless of the number of units sold or leased was held.

Planning and Zoning Administrator Justin Kirouac informed Council this property has gone through several re-zonings and is located in Character Area Nine, which recommends intense commercial/residential mixed-use along this corridor. The applicant is requesting a change to delete the elevator requirement in one of the multifamily units and increase the total number of units from 191 to 193, to allow 2 permanent model units and to increase the number of three bedrooms from 13 to 15. Mr. Kirouac informed Council procedures allow model units to remain until only two units remain unsold, so the Variance may not be required. In addition, he indicated in reviewing the request, staff had no objections to the removal of the elevator or the addition of the three bedroom units; however, when the subject property was re-zoned the number of units and elevator requirements were approved pursuant to a public hearing and thus it was recommended changes to those requirements should follow the same process; the Planning Commission concurred in their recommendations.

Mayor Bodker opened the Public Hearing on Ordinance 2010-12-25 to amend the Zoning Map for Zoning Case RZ 10-008 – Johns Creek Walk Phase II-Medlock Bridge Realty Partners, LLC 11330 Medlock Bridge Road-MIX Use Conditional to MIX Conditional-change in conditions to a Mixed Use development to increase multifamily units: allow additional three bedroom units; delete elevator requirements and VC 10-008 Concurrent Variance to allow dwelling units to remain as Model Homes/Sales Offices regardless of the number of units sold or leased and asked for those wishing to speak in support.

City Clerk Jones read the Zoning Hearing Procedures.

Richard Aaronson spoke on behalf of the applicant and stated as they approached the final stages to begin the first phase of Phase II of the Johns Creek Walk project, review of the designs determined modifications were warranted. These included, increasing the number of three family units, allow any two units to be used as model homes, increase the total number of units and eliminate the elevator requirement. Mr. Aaronson provided a site map showing the completed Phase I and the proposed renderings for Phase II multifamily units. He offered to Council that in support of the modifications requested the applicant proposed making this a LEED certified or “green” building.

He further explained the modification requests, saying the plan always proposed 193 units; however two units were intended to remain as model units and therefore would not have required certificate of occupancies. The applicant would like to have the option of moving the model units around and offer model units for sale; eliminate the elevator requirement in the three-story 50 unit walk up, mentioning the three-story buildings in the Phase I project do not have elevators and this has not been an issue with residents. In regards to the increase in three bedrooms there has always been an intention to have 15 three-bedroom units; this omission was an error on the plan submission showing 13.

Cleve Gaddis from the Johns Creek Community Association spoke in support of the applicant saying they met with the association and addressed concerns that architecturally Phase I and II would blend.

Mayor Bodker called for opposition to the application, and as there was no one else wishing to speak the Mayor closed the public hearing.

There was Council discussion on staff's deletion of Community Standards requirements, the initial number of units requested, with two not intended for occupancy and now proposed for inclusion in total number of dwellings for occupancy. In addition, discussion was held regarding the impact of eliminating the elevator requirement and when asked by council, Fire Chief Daniel commented for a critical care issue there would be time lost in accessing the stairs vs. having elevator accessibility.

Council Member Figueroa motioned, seconded by Council Member Richardson to approve Ordinance 2010-12-25 subject to the Planning Commission recommendations amended as follows:

1. *Allow the use of the subject property to include:*
  - a. *Retail and service commercial uses.*
  - b. *A full service hotel with a maximum height of 60 feet with an additional 12 feet for an ornamental pitched roof, which shall include an indoor swimming pool, restaurant and conference room.*
  - c. *A hotel, which may be extended stay, which shall include guest rooms accessed internally to the building with no direct room access to the outside, lobby with a minimum of 700 square feet, management on duty 24 hours a day, each guest room shall be a minimum of 300 square feet and shall be accessed with a magnetic keycard entry-locking device, and no business license shall be issued for any business operating from any guest room of the facility. If built as a single hotel greater than 69,000 square feet, it must be full service with a pool, restaurant, conference rooms, banquet space and maximum height of 72 feet. (Provision refers to 1.b and 1.c)*
  - d. *An assisted living facility, senior housing facility, or multi-family building with an age restriction of 55 years or older at a maximum of 125 rooms, as shown on the northern most portion of the site plan.*
  - e. *193 attached multi-family units with a minimum of 40 stacked townhouse products as shown on the elevations dated August 8, 2008 and shall comply with the Community Standards. Multi-family units shall provide minimum heated floor areas as follows:*
    - 1 bedroom units – 700 square feet*
    - 2 bedroom units – 1000 square feet*
    - 3 bedroom units – 1,250 square feet*
  - f. *There shall be no more than 15 three bedroom units. The Multi-Family units greater than two stories shall have at least one interior elevator (does not apply to stacked townhomes). The Multi-Family units shall have an interior ceiling no lower than nine feet. The Multi-Family unit counter tops shall be of granite or similar materials, as approved by the Community Development Staff and shall be noted on all building permits. The following uses shall be prohibited:*
    1. *convenience stores with gas pumps*
    2. *commercial amusements*
    3. *entities that primarily sell mattresses*
    4. *deep discount merchandise stores*
    5. *gas stations*
    6. *auto service, supply, and tire stores*
    7. *entities that primarily provide check cashing*
    8. *laundries (as a primary use)*
    9. *consignment shops*
    10. *grocery stores which exceed 40,000 square feet*
2. *Limit the height of the “stacked townhouse” structure to 40 feet.*

3. *The site shall be developed in general accordance with the site plan received by the City of Johns Creek Community Development Department dated, September 7, 2010. Minor modification, such as number or building location provided no increase in number of units or density, may be approved subject to the review and approval of the Community Development Director.*
4. *All recreational and common areas which may be held in common shall be accessible by streets, sidewalks, or trails and the common areas shall be maintained by a mandatory owners association, whose proposed documents of incorporation shall be submitted to the Director of Community Development for review and approval prior to the issuance of the first certificate of occupancy.*
5. *The owner/developer shall provide a greenway along Medlock Bridge Road as required by the Georgia Department of Transportation (GDOT) Construction and Maintenance Easement Agreement between GDOT and the Standard Club dated August 25, 2006. Greenway shall be installed prior to the issuance of the first certificate of occupancy.*
6. *Allow shared parking per Article 18.2.2.*
7. *Provide a 10 foot landscape strip in lieu of the required 50 foot buffer along the entire portion of the west property line and the required 25 foot buffer along the entire portion of the north property line (VC-07-002-01) and eliminate the landscape strip adjacent to Phase I of Johns Creek Walk.*
8. *The owner/developer shall dedicate at no cost to the Georgia Department of Transportation (GDOT) along the entire property frontage, prior to the approval of a revised Land Disturbance Permit or final Plat whoever comes first, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to GDOT such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved: 75 feet from centerline of Medlock Bridge Road (SR 141) or as may be required by the Georgia Department of Transportation.*
9. *The owner/developer is required to modify the existing northbound u-turn lane at the intersection of Medlock Bridge Road and Johns Creek Parkway to a left turn lane for the proposed site per Georgia Department of Transportation (GDOT) Standards. The required left turn lane storage length will be based on the proposed left turn volume shown in the traffic impact study or 310 feet which is the minimum GDOT storage requirement for a 55 mph roadway. Improvements shall be completed prior to the first certificate of occupancy and shall be subject to review and approval of GDOT.*
10. *The owner/developer is required to purchase and install any signal equipment required for the proposed fourth leg of the intersection at Medlock Bridge Road and Johns Creek Parkway prior to the issuance of the first certificate of occupancy.*
11. *The owner/developer is required to complete the installation of the signal at the intersection of Medlock Bridge Road and Johns Creek Parkway prior to utilizing the curb cut as a construction entrance/exit.*
12. *Abide by the following Georgia Regional Transportation Authority (GRTA) conditions resulting from the DRI review:*
  - a. *Provide a mixture of residential, commercial and office uses, as indicated on the site plan.*
  - b. *Provide no more than three (3) access points onto Medlock Bridge Road.*
    - *The Proposed Full Access Entrance shall be aligned with Johns Creek Parkway.*
    - *The north and south proposed driveways shall be right in/right out only.*
    - *Allow for future connection to existing northern and southern properties, as indicated on the site plan.*
  - c. *Provide a system of sidewalks and crosswalks connecting each building entrance and connecting the building entrances to the North Fulton Greenway Trail.*
  - d. *Provide a direct pedestrian connection from Street E to Street F on the north side of Retail Buildings.*
  - e. *Preserve right-of-way for the construction and extension of the North Fulton Greenway Trail, or provide appropriate easements if on site.*
  - f. *Provide bike racks near entrances of retail buildings.*
  - g. *Provide car/vanpool spaces.*



- h. *Provide a bus transit stop and shelter along Medlock Bridge Road on the northern portion of the development in a deceleration lane.*
  - i. *Provide an exclusive southbound right turn lane into the development along Medlock Bridge Road at proposed right in-right out driveways.*
  - j. *Provide a dedicated southbound right-turn lane and convert the existing northbound U-turn lane into a dedicated northbound left-turn lane.*
  - k. *Provide a three lane approach for eastbound movements out of the development.*
  - l. *Provide an additional shared through right turn lane on the westbound approach as approved by GDOT.*
  - m. *All outparcel buildings that have a drive-through feature shall have the drive through face to the interior of the development. The menu board and drive through window shall be screened from State Route 141.*
13. *The owner/developer shall apply for and actively seek variances from the State of Georgia Environmental Protection Division and/or other government authority to allow for pedestrian walkways and stream crossing(s) within the stream buffer, if necessary.*
14. *Owner/developer shall construct a GRTA Transit Shelter along Medlock Bridge Road (per staff's recommended condition 13.h.) before the completion of the project. The Transit Shelter shall have architectural detailing consistent with the project and shall be subject to the review and approval of the Community Development Director.*
15. *Swimming pools and recreational courts shall be allowed to encroach into the 100 foot setback from adjacent property lines (VC-08-011-2).*
16. *The site will be developed with a minimum of 50% pervious area.*

In further discussion, Council Member McCabe added he hopes the applicant will continue to consider making the project LEED certified which could help in the marketing, Mayor Bodker commented hearing the Fire Chief's input on the elevator issue warranted inclusion of an elevator and Council Member Richardson expressed some concerns with imposing no community standards and commented she hopes there will be architectural continuity between both projects. There being no further discussion, the motioned passed unanimously. **(ORDINANCE 2010-12-25)**

**TRANSFER OF FUNDS FROM GENERAL FUND CONTINGENCY IN ORDER TO FUND SOLID WASTE PROGRAM:** As this item was discussed at the November 29<sup>th</sup> Work Session and again this evening, Council had no additional questions. Council Member McCabe motioned, seconded by Council Member Johnson to approve Resolution 2010-12-64 authorizing the Transfer of Funds from the General Fund Contingency Account to Public Works, Police and Fire Departments to Provide Funds for Solid Waste Program in the Amount of One Hundred Thousand Dollars (\$100,000). There being no discussion, the motion carried unanimously. **(RESOLUTION 2010-12-64)**

**AMENDMENT OF CH2MHILL CONTRACT:** As this item was discussed at tonight's Work Session, Council had no additional questions and Mayor Bodker thanked Council Member McCabe for representing the Council during the deliberations. Council Member McCabe summarized the deliberation process, highlighted benefits to the City from the public private partnership with CH2MHill, and thanked City Manager Kachmar, Assistant City Attorney Hastey and Finance Director Vavra for all their hard work during the process, and motioned to approved Resolution 2010-12-65 to approve the First Amendment by and Between the City of Johns Creek and CH2M Hill, Inc. for Provision of the City Operations Services Provided by CH2MHill, Inc. to Reduce the Professional Services Provided by CH2MHill to Public Works, Community Development and Certain Other Services and for Other Purposes, with Attachment I and three (3) amendments discussed during tonight's Work Session, seconded by Council Member Johnson. During discussion, Council thanked Council Member McCabe for representing the city so well and keeping them informed along the way and Mayor Bodker also thanked staff and CH2M Hill for their efforts in the process. There being no further discussion, the motion passed unanimously. **(RESOLUTION 2010-12-65)**

**AUTHORIZE TRANSPORTATION ENHANCEMENT GRANT APPLICATION:** Public Works Director Ken Hildebrandt presented and informed Council there was a presentation at the October 25<sup>th</sup> Work Session with several options for the grant. As Council's supported Bio Retention and landscaping, staff has completed the grant application requesting \$600K for Bio Retention and landscaping along State Bridge Road and \$525K for landscaping along the shoulders at State Bridge and Jones Bridge Roads. Council Member Figueroa motioned, seconded by Council Member Miller to approve Resolution 2010-12-66 authorizing the Transportation Enhancement Grant Application for Bio-Retention and Landscaping Improvements in the City of Johns Creek. There being no discussion, the motion passed unanimously. (*RESOLUTION 2010-12-66*)

**GDOT CONSTRUCTION AGREEMENT FOR GREENWAY SEGMENT 1, PART 2:** As this item was discussed at tonight's Work Session, Council had no additional questions. Council Member Johnson motioned, seconded by Council Member Figueroa to approve the Action Item approving the GDOT Construction Agreement for Greenway Segment 1, Part 2. There being no further discussion, the motion carried unanimously. (*ACTION ITEM*)

**OTHER BUSINESS:** Mayor Bodker reminded Council of the vacancies on the BZA and Planning Commission and asked each Council Member to submit three nominees each by the end of the year. The Mayor also mentioned during a delegation dinner of Mayor's there was a request from Commissioner Riley to sign onto a resolution supporting nominees to the MARTA Board, Andy Mackay and Adam Orkin. Mayor asked for Council feedback; Council had no objections to the Mayor signing onto resolution supporting the above mentioned nominees.

**PUBLIC COMMENT:** David Kornbluh welcomed Council Member Stewart, thanked Council Member McCabe and all involved with CH2M Hill Contract agreement, saying he is pleased with the amendments and commented on the city's prompt response in replacing a fallen street sign in his neighborhood. Stephanie Endres thanked Council Member McCabe on the overview he provided on the CH2M Hill contract and commented citizens should be able to have Council answer questions asked during a Council Meeting, which would be beneficial to those citizens unable to attend the meetings.

**MAYOR'S COMMENT:** The Mayor again welcomed Council Member Stewart, invited all to attend the Town Hall on December 16<sup>th</sup>, and wished everyone a happy and safe holiday.

**EXECUTIVE SESSION:** Council Member Johnson motioned, seconded by Council Member Richardson to adjourn into an Executive Session to discuss one (1) litigation matter. There was no discussion and the motion carried unanimously.

Council Member McCabe motioned to come out of Executive Session and resume Regular Session. Council Member Miller seconded, the motion carried unanimously.

There being no further business, Council Member Miller made a motion to adjourn the meeting, Council Member Richardson seconded this motion. The motion carried unanimously and the meeting was adjourned.

Approved:

Attest:

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Michael E. Bodker, Mayor

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Joan C. Jones, City Clerk

**A RESOLUTION TO APPROVE A PROCLAMATION TO BE PRESENTED ON  
BEHALF OF THE CITY OF JOHNS CREEK RECOGNIZING AUSTIN ULICH,  
CHATTAHOOCHEE HIGH SCHOOL FOR WINNING THE STATE  
CHAMPIONSHIP**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Johns Creek, while in session on January 10, 2011 as follows:

**WHEREAS:** the City of Johns Creek Mayor and Council hereby approves the hereto attached Proclamation recognizing Austin Ulich for State Championship

**WHEREAS:** this approval be immediately effective; and

**WHEREAS:** this resolution shall become effective upon its adoption.

**SO RESOLVED AND EFFECTIVE** this 10<sup>th</sup> day of January, 2011.

Approved:

\_\_\_\_\_  
Michael E. Bodker, Mayor

Attest:

\_\_\_\_\_  
Joan C. Jones, City Clerk

(Seal)

# ***PROCLAMATION***

***WHEREAS;*** Chattahoochee High School Senior Austin Ulich has received numerous accolades throughout his Cross Country career such as the Fulton County Cross-Country Champion, the Region 7AAAA Cross Country Champion and most recently winning the Georgia High School Association AAAA Cross Country State Championship; he also holds the Chattahoochee High School record in the 5K Cross Country and Track and Field 2-mile event and played on the 2009 Chattahoochee High School State Champion Ice Hockey Team; and

***WHEREAS;*** with help from his Coaches along with support from his family and friends, Austin Ulich has been a scholar athlete six consecutive semesters, maintaining a GPA of 3.6 and will graduate from Chattahoochee High School with 12 Varsity Letters, the highest number attainable by a Georgia High School athlete;

***WHEREAS;*** Austin Ulich, through his individual effort and devotion to the Chattahoochee Cross Country, Ice Hockey and Track and Field Teams has brought recognition to the school's Athletic program and the City of Johns Creek; and has committed to run Cross-Country and Track with the University of Georgia in 2011; now

***THEREFORE;*** I, Michael E. Bodker, Mayor of the City of Johns Creek, Georgia on behalf of the City Council, proclaim and recognize

***“Austin Ulich, AAAA Cross-Country State Champion”***

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 10th day of January, 2011

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Michael E. Bodker, Mayor

(City Seal)

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Joan Jones, City Clerk

**CITY OF JOHNS CREEK  
PRIVILEGED RESOLUTION FOR  
WILLIAM SHUN XIAO, EAGLE SCOUT  
TROOP 3143**

The City of Johns Creek recognizes William Shun Xiao of Troop 3143 on obtaining the rank of Eagle Scout. Whereas, Eagle Scout Xiao completed his community service project in which he constructed a new set of stairs for the outdoor classroom behind the Northview High School football field; and Whereas this stairway addition to the classroom provides safer and easier accessibility and it provides enjoyment to the many students and teachers at Northview High. Whereas a project like this takes many hours to complete and involves the team work of many, it eliminated a sometimes slippery and dangerous walk. Hopefully this project and Eagle Scout Xiao will inspire others to volunteer their time and talents to their community. The Mayor and Council of the City of Johns Creek hereby recognize and applaud Eagle Scout William Xiao and wish him well in all his future endeavors.

01/10/2011 Council Meeting  
Council Member Karen Richardson

***CITY OF JOHNS CREEK  
PRIVILEGED RESOLUTION FOR  
EAGLE SCOUT KYLE MATTHEW JOHNSTON  
OF TROOP 2000***

The City of Johns Creek recognizes Kyle Matthew Johnston of Troop 2000 on obtaining the rank of Eagle Scout. Whereas Eagle Scout Johnston completed his service project which was the cleaning and enhancement of the Rogers Bridge Circle cemetery grounds; and Whereas, this century old cemetery is part of Johns Creek history, this project will provide solace for family and friends while they visit their loved ones. Whereas Eagle Scout Johnston's project was funded by the community and volunteers who gave their time, and took many hours to complete; this project also brings awareness of one way we can honor our past while enriching our future. The Mayor and Council of the City of Johns Creek hereby recognize and applaud Eagle Scout Kyle Matthew Johnston and wish him well in all his future endeavors.

1-10-2011 Council Meeting  
Council Member Ivan Figueroa

### **Planning Commission**

Randall Johnson—Chip Floyd, Rose Shane and Steve McCain;  
Kelly Stewart—Mark Endres and Leslie Martinez (bio information below);  
Karen Richardson—Steve McCain;  
Bev Miller—Stacy Lundy (bio not yet received); renominate Rose Shane and Chip Floyd;  
Ivan Figueroa—none;  
Dan McCabe—none.

### **Board of Zoning Appeals**

Randall Johnson—Rhonda Wilson;  
Kelly Stewart—none, confirmed that she understands all who expire in January are willing to continue;  
Karen Richardson—none;  
Bev Miller—none;  
Ivan Figueroa—none;  
Dan McCabe—none  
Mike Bodker-re appoint John DiPetro

**A RESOLUTION TO APPOINT MEMBERS OF THE PLANNING  
COMMISSION (POSTS D, E, F AND G) FOR THE CITY OF  
JOHNS CREEK, GEORGIA**

- WHEREAS,** the City of Johns Creek is authorized by the City Charter to create Boards, Commissions and Authorities as the Mayor and City Council deem necessary; and
- WHEREAS,** the Mayor and Council passed Ordinance 2006-12-42 establishing a City of Johns Creek Planning Commission on January 22, 2007; and
- WHEREAS,** the Planning Commission has staggered terms as required by Ordinance 2009-01-04 and the staggered terms are designated by Posts A, B, C, D, E, F, and G, and
- WHEREAS,** the Mayor and Council desire to appoint members to fill the expired terms of Post D, Post E, Post F and Post G, whose terms expire on January 15, 2011; and
- WHEREAS,** the Mayor of the City of Johns Creek is authorized to appoint members of the Planning Commission, subject to approval by the Council of the City of Johns Creek.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Johns Creek while at a regularly scheduled meeting on January 10, 2011, the following citizens are hereby appointed as members of the Planning Commission with terms to expire January 15, 2013:

Post D	Steve McCain
Post E	Rose Shane
Post F	Brenda Yates
Post G	Chip Floyd

Approved:

\_\_\_\_\_  
Michael E. Bodker, Mayor

Attest:

\_\_\_\_\_  
Joan C. Jones, City Clerk

(SEAL)



**A RESOLUTION TO APPOINT MEMBERS OF THE BOARD OF ZONING  
APPEALS (POSTS D, E, F, AND G) FOR THE CITY OF JOHNS CREEK, GEORGIA**

- WHEREAS,** the City of Johns Creek is authorized by the City Charter to create Boards, Commissions and Authorities as the Mayor and City Council deem necessary; and
- WHEREAS,** the Mayor and Council passed Resolution 2007-06-55 appointing a City of Johns Creek Board of Zoning Appeals on June 18, 2007; and
- WHEREAS,** the Board of Zoning Appeals has staggered terms as required by Resolution 2009-06-29 and the staggered terms are designated by Posts A, B, C, D, E, F, and G; and
- WHEREAS,** the Mayor and Council desire to appoint members to fill the expired terms of Post D, Post E, Post F and Post G, whose terms expire on January 15, 2011; and
- WHEREAS,** the Mayor of the City of Johns Creek is authorized to appoint members of the Board of Zoning Appeals, subject to approval by the Council of the City of Johns Creek.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Johns Creek while at a regularly scheduled meeting on January 10, 2011, the following citizens are hereby appointed as members of the Board of Zoning Appeals with terms to expire January 15, 2013:

Post D	Rhonda Wilson
Post E	Bill Lopez
Post F	Eric Fragoso
Post G	John DiPietro

Approved:

\_\_\_\_\_  
Michael E. Bodker, Mayor

Attest:

(Seal)

\_\_\_\_\_  
Joan C. Jones, City Clerk

**A RESOLUTION TO AUTHORIZE AND APPROVE TRAFFIC IMPACT  
STUDY GUIDELINES FOR THE CITY OF JOHNS CREEK**

- WHEREAS, the Mayor and Council for the City of Johns Creek are charged with the protection of the health, safety, and welfare of the citizens of Johns Creek; and
- WHEREAS, the City is authorized to regulate and maintain the public rights-of-way within the corporate limits of the City; and
- WHEREAS, traffic impact study guidelines provide general direction and clarification as to when applicants for land use petitions, proposed land development projects and/or existing land development projects are required to conduct traffic impact studies; and
- WHEREAS, the traffic impact study guidelines attached hereto and incorporated herein ("Traffic Impact Study Guidelines") have been reviewed, and it is desired that such Traffic Impact Study Guidelines be adopted as the Traffic Impact Study Guidelines for the City of Johns Creek.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council, while in Regular Session on January 10, 2011 the Traffic Impact Study Guidelines are hereby approved and adopted as the Traffic Impact Study Guidelines for the City of Johns Creek.

Approved:

\_\_\_\_\_  
Michael E. Bodker, Mayor

(seal)

Attest:

\_\_\_\_\_  
Joan C. Jones, City Clerk

# Traffic Impact Study Guidelines



Traffic Engineering Division  
Public Works Department  
City of Johns Creek  
~~September 2010~~  
**January 2011**

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## 1.0 Introduction

The purpose of this document is to provide guidelines for preparing Traffic Impact Studies for proposed land development projects or additions to existing developments in the City of Johns Creek. This Scope of Work is a general guideline only, and additional requirements may be required for specific developments. Users of this document may wish to contact the Traffic Engineering Division of the City of Johns Creek to confirm these requirements.

## 2.0 Study Requirements

The need to conduct a Traffic Impact Study (T. I. S.) is based on the land use and size of the development. More specifically, a T. I. S. is required where the development that generates approximately 100 trips during the peak hour. For mixed-use developments, a Traffic Impact Study is required when the combined trips generated by the individual land uses exceed 100 trips per peak hour.

A Traffic Impact Study may also be required at the discretion of the City Traffic Engineer where site conditions indicate:

- Existing traffic problems or congestion,
- Negative impacts on adjacent developments,
- The development proposes a deviation from City of Johns Creek standards, or
- Other local issues that may be present.

Where the need for a Traffic Impact Study has been identified, this study should be completed and submitted to the City Traffic Engineer for review six (6) weeks prior to the scheduled Planning Commission Meeting to allow traffic engineering stipulations, and other requirements to be included in the Planning & Zoning staff report.

LAND USE	ITE	Category 1		Category 2		Category 3	
	Code	Primary	Secondary	Primary	Secondary	Primary	Secondary
<b>Residential</b>							
Single Family detached	210	99 units	36 acres	297 units	109 acres	990 units	365 acres
Apartment	220	161 units	-	438 units	-	1612 units	-
Townhouse	230	192 units	-	576 units	-	1923 units	-
<b>Retail</b>							
Shopping Center	820	26 ksf gla	-	80 ksf gla	-	266 ksf gla	-
Specialty Center	814	37 ksf gla	-	110 ksf gla	-	369 ksf gla	-
Convenience store	853	5 pumps	1.6 ksf	15 pumps	4.9 ksf	-	-
Pharmacy w/ drive-thru	881	11.6 ksf	-	34.8 ksf	-	-	-
<b>Services</b>							
Fast food	934	1.8 ksf (am)	-	5.6 ksf (am)	-	-	-
Sit Down restaurant	932	9 ksf	-	27 ksf	-	-	-
Bank w/ drive-thru	912	2.1 ksf	2 lanes	6.5 ksf	6 lanes	-	-
Gas Station	945	7 pumps	1 ksf	22 pumps	3.1 ksf	-	-
<b>Institutional</b>							
Day Care	565	20 emp (am)	7.5 ksf	61 emp (am)	22 ksf	-	-
Private School (K-8)	534	111 students	-	333 students	-	1111 students	-
Private School (K-12)	536	153 students	-	379 students	-	1533 students	-
<b>Office</b>							
General Office	710	64 ksf (am)	-	193 ksf (am)	-	645 ksf (am)	-
Medical Office	720	26 ksf	-	80 ksf	-	268 ksf	-



### 3.0 Study Magnitude

Traffic Impact Studies for the City of Johns Creek are classified into three categories:

Category I - Developments that generate between 100 and 300 vehicle trips during any peak hour.

Category II - Developments that generate between ~~300-301~~ and 1,000 vehicle trips during any peak hour.

Category III - Developments that generate more than 1, ~~000-001~~ vehicle trips during any peak hour.

The developer should estimate the numbers of trips generated by the development and confirm with the City of Johns Creek the Category of study before initiating any work. Georgia Regional Transportation Authority requirements for Developments of Regional Impact (DRI) supersede these requirements where applicable.

### 4.0 Methodology

#### 4.1 Study Area

The study area for the proposed development should include:

	Category I	Category II	Category III
All site driveways.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All intersections abutting the development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All signalized intersections within 1/2 mile.		<input type="checkbox"/>	<input type="checkbox"/>
All signalized intersections within 1 mile.			<input type="checkbox"/>

Any additional locations as required by the City.

#### 4.2 Study Horizon

The T.I.S. should include an analysis of the expected traffic conditions for the following scenarios:

- Existing conditions
- Background conditions
- Opening day conditions
- Each phase of the proposed development

### **4.3 Analysis Time Periods**

The study shall include an analysis of the impact of the development traffic on the adjacent street's weekday A.M. peak and P.M. peak hours, which normally occurs between 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. respectively.

For developments with unusual peak hours, an analysis of the peak hour of the traffic generator is also required. For example, schools require an analysis of the peak period during the school start-up, and school let-out. For banquet or church facilities, an analysis of evening and/or weekends will be required.

### **4.4 Data Collection**

The Traffic Impact Study shall include information on the existing and proposed conditions within the study area.

Existing and proposed turning movement counts for the adjacent existing and proposed intersections and driveways should include the A.M. peak hour and P.M. peak hour (and other time periods as noted in the previous section). Daily traffic volumes should be provided as 24-hour volumes, and peak hour volumes at intersections and driveways should be provided as turning movements. The analysis shall be based on traffic counts that are no more than two years old (or less if there are significant changes in traffic patterns). If current traffic volume data is not available from the City, the consultant shall be responsible to collect all necessary data. The estimation of existing peak hour turning movements based on automatic machine counts is not acceptable.

Projected traffic volumes shall be based on the latest available traffic projections from the Atlanta Regional Commission (ARC), the City of Johns Creek Transportation Study, or historical traffic volume trends. Projected traffic volumes shall include adjustments, as necessary, to reflect other adjacent future development.

#### **4.5 Background Information**

The background information shall include a discussion of the existing and proposed land use of the development site. Roadway geometric conditions within the study area should include, but not limited to, intersection and driveway spacing, road width, traffic lanes, medians, turn lanes, curb and gutter, speed limits, horizontal and vertical curvature, traffic control devices, and traffic signal phasing. The discussion on geometric conditions should include locations of driveways and intersections across the street from the development, and how this may impact traffic operations.

If applicable, the requirements for a Traffic Impact Study as noted in this document may need to be coordinated with the requirements of other local agencies such as adjacent cities, counties or the Georgia Department of Transportation. Any deviation from the requirements of this document due to the requirements of other agencies should be presented in written form to the local reviewing agency for review and approval.

#### **4.6 Trip Generation**

The trip generation for the proposed development shall be estimated using the latest edition of *Trip Generation* as published by the Institute of Transportation Engineers (I.T.E.). Actual measured trip generation rates from similar developments (in both land use and size) within the Atlanta Metropolitan Area may be accepted, and must be approved by the City of Johns Creek before use.

If adjustments to the site traffic generation rates such as pass-by traffic or official trip reduction programs are proposed, this should be discussed with the City of Johns Creek before proceeding. This deviation should be clearly documented and documented in the report.

#### **4.7 Modal Split**

Due to the low modal split for trips by transit, cycling and walking within in the City of Johns Creek, the combined mode split for these modes should be assumed to be zero. In special situations where the mode split may be significant, this should be discussed with City of Johns Creek before proceeding. The City of Johns Creek supports encouraging alternative travel modes. Therefore, the Traffic Impact Study should identify how transit vehicles and patrons, bicycle parking and storage, and pedestrian and sidewalk connections are accommodated.

#### **4.8 Trip Distribution**

Trip distribution should be based on population and employment figures depending on whether the development is a trip generator or attractor. The market area for commercial developments should be identified. The percentage of trips generated to and from each directional quadrant (North, South, East and West) should be identified in the report.

Market studies, in combination with traffic factors, should be used to develop the area of influence and trip distribution.

#### **4.9 Trip Assignment**

Trips should be assigned to the existing and proposed road system based on the most direct route or the route offering the lowest average delay, and taking into consideration the capacity of the roadway network. For Category I and II developments, a manual trip assignment is acceptable. Category III type developments may require computer model simulation ~~using EMME/2 or other similar type software.~~

#### **4.10 Traffic Analysis**

A capacity analysis of all driveways, signalized and unsignalized intersections containing site-generated traffic are required. The software used for this analysis shall be the latest edition of the Highway Capacity Software (HCS), SYNCHRO, or other software acceptable to the City of Johns Creek.

The results of the above analysis shall be summarized in tabular form identifying the average delay, Level of Service (LOS), and volume-to-capacity (V/C) ratios for the intersection and all critical movements. All intersections and specific turning movements with a LOS D or higher shall be clearly identified.

A queuing study should be conducted to determine the extent of queues spilling out of left turn bays, right turn bays, drive-thru facilities, and also from intersection to intersection.

Where appropriate, traffic signal warrants for unsignalized intersections shall be conducted using the criteria provided in the latest edition of the MUTCD.

Other analyses as requested by the City of Johns Creek may be required due to the type and location of the proposed development, such as weaving analyses, parking analyses, on-site circulation, pick-up and drop-offs, the number of accesses, sight distance calculations, among others.

#### **4.11 Traffic Impact Mitigation Measures**

All intersections showing a LOS D or greater must be analyzed for on-site and off-site traffic and roadway improvements that are necessary to bring the intersection back to a LOS D. It is important to emphasize that this analysis is required regardless of whether congested conditions already exist without the proposed development.

A list of recommended on-site and off-site improvements required to mitigate the projected traffic congestion or safety issues shall be identified for comparison to the "before" conditions as well as a figure that shows specific improvements required.

A table of queue lengths for each scenario will be included to ensure proper storage lengths are provided.

#### **5.0 Report Format**

The traffic impact study should include the following items and report sections:

1. Title Page.
2. Table of Contents, List of Figures and Tables.
3. Executive Summary including a short description of the project and traffic impacts expected
4. Introduction including description of project, purpose of report.
5. Proposed development description including location, land use and proposed use. Include vicinity map and site plan.
6. Study Area description.
7. Existing conditions including study site land use, adjacent roadway description and traffic volumes. Include summary of existing traffic counts, graphic of existing daily and peak hour traffic and roadway condition diagram.
8. Projected traffic including site traffic generation, distribution and assignment and non-site traffic for each time period to be analyzed. Graphics should be included showing the daily and peak hour traffic volumes for each analysis time period and project phase for both the on and off-site traffic.
9. Background, Site Traffic, and Total Traffic volumes should be shown for each analysis time period.
10. Traffic analysis showing tabular and graphic results of the analyses.
11. Summary and Conclusions to include mitigation measures (proposed traffic control, lanes required, turn-lane storage and queuing)
12. Appendix to include all HCS and/or SYNCHRO computer runs. Provide any material related to the traffic study data collection and study results.

Three copies of the Traffic Impact Study shall be submitted for review. Additional copies may be required for review by other public agencies.